

Appl. No. 09/921,275  
Amdt. dated August 3, 2005  
Reply to Office Action of July 25, 2005

### **REMARKS/ARGUMENTS**

Upon entry of this Amendment, which amends claims 1-3, 9-17, claims 1-17 remain pending. In the Office Action, claims 12-17 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention; claims 1, 4-10, and 13-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Teglovic et al. (U.S. Patent No. 5,692,030, hereinafter “Teglovic”) in view of Berg (U.S. Patent No. 5,872,911); and claims 2-3 and 11-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Teglovic and Berg in view of Bhagavath et al. (U.S. Patent No. 6,374,288, hereinafter “Bhagavath”). Applicants respectfully request reconsideration of the claims in view of the amendments above and the remarks below.

#### **Interview Summary**

Applicants thank the Examiner for the Examiner interview conducted on July 14, 2005. During the interview, the cited references and claims were discussed with possible amendments.

#### **Section 112 Rejections**

Claims 12-17 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claims 12, 13, and 15 recite the limitation “the method of claim 10”. Claims 14, 16, and 17 were also rejected because of the dependencies on claims 12, 13, and 15 and also include the above phrase. In response, Applicants have amended claims 12-17 to recite “the system of claim”. Accordingly, Applicants submit that claims 12-17 now fully comply with the requirements of Section 112.

Section 103 Rejections

Claims 1-8

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Teglovic in view of Berg. Claim 1, as amended, recites communicating the repair ticket and a list of the one or more customers affected by the fault to the customer service system before a call is received by the one or more customers affected by the fault, wherein when a call is received from a customer, the created repair ticket and list of the one or more customers affected by the fault can be referenced to determine if the customer in the one or more customers affected by the fault and the status of the fault and repair ticket can be provided to the customer.

Teglovic discloses creating a trouble ticket after receiving a call from a customer. Berg discloses analyzing call traffic to determine the service impact of a fault. There is no mention in Berg of communicating a repair ticket and a list of one or more customers affected by the fault to a customer service system before a call is received by the one or more customers affected by the fault.

Berg teaches a proactive system but does not teach communicating with a customer service system. Teglovic discloses creating a trouble ticket after a call is received. Thus, Teglovic and Berg, either alone or in combination, do not teach or suggest creating a repair ticket including a status of the fault, correlating with one or more customers affected by the fault, and communicating the repair ticket to the customer service system before a call is received. As claimed, when a call is received from a customer, it can be determined if the customer is the one or more customers is affected by the fault and the status can be provided to the customer. This is very useful in that customers can be provided a status of the fault when they call.

The rejection states that it would have been obvious to combine the teaching of Berg and Teglovic to produce a proactive repair system with repair tickets for tracking customer problems because they both deal with detecting and assessing faults in telecommunications networks. Applicants it would not have been obvious to combine Teglovic and Berg to arrive at the invention claimed in claim 1, as amended. For example, nowhere is it disclosed or suggested in Berg or Teglovic that when a call is received from a customer, the list of one or more

customers affected by the fault can be referenced to determine if the customer calling is in the list and a status provided to the customer.

In Teglovic, the customer is not provided any status. Rather, a repair ticket is created after the customer calls. In Berg, a proactive analysis of a fault may be determined. However, as mentioned in paragraph 5 of the background of Applicants' Specification, proactively fixing a problem is known. As discussed in paragraphs 5 and 6 of Applicants' Specification, the customer service representative may go through a procedure of gathering information from a calling customer, trouble shooting the problem and possibly dispatching a technician. However, during this time, the network may be proactively resolving the fault. Thus, the process that the customer service representative is going through may not be necessary and redundant operation may be occurring. This may occur in the Berg and Teglovic combination because Teglovic may be proactively fixing a fault and Berg would create a repair ticket after a customer calls. Thus, customer service levels may fall because of the redundant operations between the proactive repair network and the customer service system because customer service representative does not know the status in the Berg and Teglovic combination. However, as claimed, the status is communicated to a customer service system and may be provided to a customer when a customer calls about a fault.

Accordingly, Applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-8 depend from claim 1 and thus derive patentability at least therefrom.

Accordingly, Applicants respectfully request withdrawal of the rejections of claims 2-8.

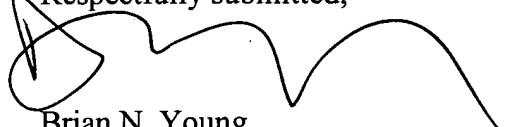
Applicants submit that claims 9 and 10 should be allowable for at least a similar rationale as discussed with respect to claim 1. Accordingly, Applicants respectfully request withdrawal of the rejections of claims 9 and 10. Claims 11-17 depend from claim 10 and thus derive patentability at least therefrom. Accordingly, Applicants respectfully request withdrawal of the rejections of claim 11-17.

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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,  
  
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